

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

Golden Bethune-Hill, *et al.*,

Plaintiffs,

v.

Virginia State Board of Elections, *et al.*

Defendants.

Civil Action No. 3:14-cv-00852-REP-
AWA-BMK

Notice of Substitution Under Rule 25(d)

Please take notice that, under Federal Rule of Civil Procedure 25(d), M. Kirkland Cox has been substituted for William J. Howell as a Defendant-Intervenor in this matter. Speaker Howell participated in this matter in his capacity as Speaker of the Virginia House of Delegates, and Speaker Cox assumed that office in January 2018. By operation of Rule 25(d), Speaker Cox was “automatically substituted as a party.” Fed. R. Civ. P. 25(d); *Kentucky v. Graham*, 473 U.S. 159, 166 n.11 (1985) (“replacement of the named official will result in automatic substitution of the official’s successor in office”). Accordingly, Speaker Cox is a Defendant-Intervenor, and Speaker Howell is no longer a party in any capacity.

Counsel for Defendant-Intervenors apologize for inaccurate references to Speaker Howell in post-January 2018 briefing. They respectfully observe, however, that “any misnomer not affecting the parties’ substantial rights must be disregarded.” Fed. R. Civ. P. 25(d).

Dated: August 8, 2018

Respectfully Submitted,

/s/ Katherine L. McKnight

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CERTIFICATE OF SERVICE

I hereby certify that on this 8th day of August, 2018, a copy of the foregoing was filed and served on all counsel of record pursuant to the Court's electronic filing procedures using the Court's CM/ECF system.

/s/ Katherine L. McKnight
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